

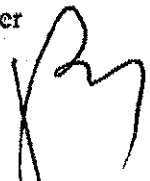


# Howard County

## Internal Memorandum

**Subject:** Testimony & Fiscal Impact Statement  
Council Bill requiring testing of golf courses prior to commercial or residential redevelopment.

**To:** Lonnie R. Robbins, Chief Administrative Officer

**From:** Peter Beilenson, M.D., M.P.H., Health Officer 

**Date:** August 24, 2007

The Department of Health has been designated coordinator for the preparation of testimony relative to the above referenced Council Bill requiring certain testing of golf courses prior to commercial or residential redevelopment.

The Bill will require an applicant for a subdivision or site development plan for the residential or commercial redevelopment of a golf course to perform water and soil testing in one of the following ways:

1. The developer will have to perform:
  - a. A Phase I Environmental Site Assessment and a Phase II Environmental Site Assessment in accordance with certain nationally recognized ASTM (American Society for Testing and Materials) standards; and
  - b. Water and soil testing in accordance with certain standards contained in the State of Maryland Department of the Environment, Cleanup standards for soil and groundwater, August 2001, Interim final guidance (Update No. 1); or
2. If the entire area included in the plan is in the State's Voluntary Cleanup Program of the Maryland Department of the Environment, as provided in Section 7.500, *et seq.* of the Environment Article of the Annotated Code of Maryland, the developer will complete the program and provide to the Health Officer either the certificate of completion or Maryland Department of the Environment's notice that there are no further requirements related to the investigation of controlled hazardous substances at the property.

The developer will have to forward test results to the Health Officer and seek comments from the Health Officer regarding the developer's compliance with the requirement to test. The developer will need to provide the comments to the Department of Planning and Zoning.

Testing will be required prior to site development plan approval and at sketch, preliminary, and final subdivision plan approval. For applications received before Dec 15, 2007, compliance will be before plan approval (Dec 15 was picked because it is shortly after the effective date of the legislation). After

Dec 15, 2007, compliance will need to be before application.

Standards referenced in the legislation can be found at:

ASTM E1527-05 Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process - for brief write up see [http://www.astm.org/cgi-bin/SoftCart.exe/DATABASE.CART/REDLINE\\_PAGES/E1527.htm?L+mystore+mmta0530+1187758493](http://www.astm.org/cgi-bin/SoftCart.exe/DATABASE.CART/REDLINE_PAGES/E1527.htm?L+mystore+mmta0530+1187758493)

ASTM E1903-97(2002) Standard Guide for Environmental Site Assessments: Phase II Environmental Site Assessment Process - for brief write up see [http://www.astm.org/cgi-bin/SoftCart.exe/DATABASE.CART/REDLINE\\_PAGES/E1903.htm?L+mystore+mmta0530+1187758283](http://www.astm.org/cgi-bin/SoftCart.exe/DATABASE.CART/REDLINE_PAGES/E1903.htm?L+mystore+mmta0530+1187758283)

State of Maryland Department of the Environment, Cleanup standards for soil and groundwater, August 2001, Interim final guidance (Update No. 1)  
[http://www.mde.state.md.us/assets/document/hazcleanup\\_Aug2001.pdf](http://www.mde.state.md.us/assets/document/hazcleanup_Aug2001.pdf)

This legislation imposes no fiscal impact.

If you require further information concerning this matter or have any additional questions, please do not hesitate to contact me at your convenience.

cc: Joan Kennedy  
Jennifer Sager